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A RECORD OF SOME VVORTHIE PROCEEDINGS:

IN

THE HONORABLE, WISE, AND FAITHFVLL HOVSE OF COMMONS

in the Parliament holden in the yeare, 1 6 4 1.

Iustitia est suum cuique tribuere.

Printed in the Yeare, 1641.

RECORD

OF

SOME WORTHIE PROCEEDINGS:

IN

THE HONORABLE, WISE AND FAITHFULL

Contents.

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Printed in the Yeare, 1641.

TO ALL TRVE HEARTED ENGLISH-men dwelling in their native soile.

HOwsoever (my deare Countrey-men) it is mine hap to abide on this side the seas; yet I cannot but harken after the prosperitie of my gratious Soveraigne, and naturall countrey; especially in the Parliament time. I am not (indeed) in any such eminent place, as where I may be sure to have a perfect relation of all remarkable affaires: yet by my diligent indeavour I obtaine (in time) more probable intelligence, then many of you doe. Of which the love of my Country compelleth to make present use, occasioned by a publication (for not one word thereof is in the Kings name) dated 31. December, 1611. Wherein the worthiest house of Commons that ever was, is covertly traduced for spending long time, and great charges, and yet failing an earnest expectation of a good conclusion for the Ease, and Freedome of his Majesties subjects. I could not therefore but indevour to pre-

vent (as I may) the heart-burning which (I feare) that publication may occasion betweene the King and his Commons, and 2. to make it appeare, that no house of Commons had ever a greater zeale for the ease and freedome of the subjects then the late house had. The former, by demonstrating that the said covert imputation is not the Kings, but the pen-mans. For whereas Proclamations (indeede) speake in the first person, as thus, Our subjects; and, Wee are resolved, that publication speaketh in the third person thus, His Majesties subjects; and, His Majestie is resolved. Therefore it was not penned by his Majestie. Againe, How can close suggesting the said imputation to be the cause of disolving the Parliament agree with that which is expresly said, That his Majestie, for many good considerations knowne to himselfe determined to dissolve, &c. Doth not this shew, that the ever large preamble of that publication is the penmans, and onely the body therof was by the Kings direction? Moreover; in a Proclamation dated the 24. of September 1611. his Majesty findeth fault with former Proclamations, in regard of their penning. Which sheweth, that when his Majestie hath signified his minde touching the substance of a Proclamation; he doth not alwaies review the penning thereof. Therefore it may bee supposed, that hee did not peruse the penning of the publication. So that I thinke it may be well concluded, that the said imputation is not the Kings, but the pen-mans.

As for the zeale of the commons in parliament for the ease, and freedome of the subjects, let that appeare by that which is here published. Onely I suppose it not amisse to remember, that in the session of

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the late Parliament, there passed these billes in the House of Commons. 1. An act for the better observing and keeping holy the Sabboth day, or Sunday. 2. An act against such, as comming to Church, doe refuse to receive the Sacrament of the Lords Supper. 3. An act for the providing of a learned, and godly Ministerie. and 4. An act to inable suspended, and deprived Ministers to sue, and prosecute their appeales. I remember these, because that worthy Knight, or Burgesse (whose speech is here recorded) doth not speake of them; Intending (belike) to mention no other billes, but such as passed in the House of Commons, in the fourth, that is, the last session of Parliament. I say, The last, because the fifth cannot be accompted a session, seeing nothing was concluded therein, the Speaker, sundry mornings before the house met together adjourning the same from day to day, till the Parliament was prorogued, and there dissolved. Well, I pray God; that, whensoever we shall have an other Parliament, Counties, Cities and burroughes may not be moved by letters from such common-wealths-men, as the pen-man of the said publication is feared to be, to chuse such Knights and burgesses, as will have lesse zeale for the ease and freedome of the subjects, than had the Knights, and burgesses of the late Parliament.

A MEMORABLE SPEECH, IN THE HOVSE OF COMMONS. 1611.

Master Speaker,

I perceive we are all much troubled, by the evill successe which we have had in the great contract concerning Tenures and Purueiance, after our long trauel & much time spent therein; and in other causes of good importance: so as many haue taken occasion thereby to say of us, that although there was neuer a more honourable assembly, in the Commons house of Parliament, of godly, wise, and learned men, then at this time, this yet there did neuer lesse fruit appeare of their labour to the world at any time before, then now: which fruitlesse labour if it might be truly imputed unto us, it might worthily grieue us all. but I hope that in seeking our meanes of redresse, or reliefe in this case, I shall make it appeare to all, that will rightly weigh of the things, that if furtherance had beene giuen by others, whome it concernes, to our labours and good endeauours, many abuses had beene reformed,

formed, and much good done to the Common wealth of England.

But as it is true, which that great wise Lord, who hath the chiefe charge of the treasure of the Realme, said unto us at our last meeting with the honourable Lords of the upper house of Parliament, in the painted chamber at Westm: touching the great contract, viz. that hee did well perceive, that wee had a great desire to have effected that great contract, that the Kings Maiesty had willingly given his assent to the same, and that yet neuertheless it proceeded not, wherein they could not finde the impediment, but that God did not blesse it: so is it likewise true of the rest of our proceedings in Parliament, that God hath not blessed the same with good successe, which troubled me at the first, untill I did further consider of many other parties of the Realme, and many other callings, and societies of the Realme, to whom God hath given as little blessing, as to the Parliament house. For it did appeare plainely to us in this house, upon the treatie and examinations of the grievances of the Church and common wealth, that the Merchants of England, who were a calling of very great use in this Realme, for the wealth, strength, and credit thereof, and as it were the leggs of the common wealth, wherevpon it goeth, have not received such blessing of late, yea in their merchandizing, as in former times, although they labor asmuch, and adventure asmuch, as in former times they did. And that likewise the clothiers, being a trade whereby many thowsands subjects are maintained, although they labor in their calling as much at this time, as ever before they did: doe of late find so little fruit of their labour, as that many of them are decayed, and many of them also, have given over that trade to the great hinderance of the Realme.

And also the like is fallen to the Marriners and Shipwrights of this Realme, which number is greatly decayed,

ed, and with them the serviceable ships and shipping very much weakned, which threatneth a decay of the walls and strength of the Realme, which by good shipping, and good Mariners is well defended.

And I find also, that God hath not blessed the treasure of the Realme, for it is gone from us, as if God had blown upon it, to turne it out of the land, so as Prince & people want.

And I finde also in the calling of lawyers, that there is not the like increase of their labors, as in times past, except it be some few favorites; and I thinke that divers Knights, Citizens, and Burgesses now here present about me, could say the like of divers sorts of men in there Countries, Cities, and Burroughs, if they list to speake: whereupon I do assuredly thinke, that for some publique sinnes of the land, God hath a quarrell to the land, whereby he doth withdrawe his ordinary blessings, which publique sinnes this great Councell of the Realme ought first to finde out, and as much as in our power to redresse the same, that God being thereby reconciled unto the Land an happy blessing might infuse to all the estates thereof, which to effect, you shall see what we for our parts have done to obteyne Gods loving countenance to the land, as a shield, by removing the publicke sinnes thereof, which as a thicke cloud doth keepe from us Gods sunshining grace.

First we did see, and consider, that the precious name of God, which we ought to regard more then our lives, is not by the lawes of England so tenderly regarded, and preserved, as the name of all sorts of people in the land: For if some euill wordes be used against the King, it is high treason, for which the offender shall dye. And if some euill words bee used against noble men, it is punishable by the statute *de Scandalum magnatum*. And that for some euill wordes used by any private person against another, an action of the case doth lye, as the com-

mon law, to punish the offender, and to recompence the partie wronged. But for abusing the holy name of God, and tearing him in peeces by wicked oathes, there is no punishment by the lawes of the Realme, whereby both men, women, and children increase in that sinne grievously, every day, without punishment or checke: wherefore to prevent that sinne, wee did, at two severall Sessions of Parliament, make two severall bills, which did passe our house of Commons, to be made lawes for punishment of such Offenders.

And to take away that crying sinne which doth most provoke God, and most greeve the subjects, viz: the depriving, disgracing, silencing, disgrading, and imprisoning, such of Gods Messengers (being learned and godly Preachers) as he hath furnished with most heavenly graces to call us to true repentance, for no other cause, but for not conforming themselves otherwise then by subscription limited in the statutes made in the 13. yeare of the late Queene *Elizabeth* of famous memorie, thereby making the lawes of the Church, and common wealth to jarre: which to reforme, we made a law for subscription agreeing to the intent of the foresaid statute, which every wise man will approve, and willingly subscribe unto, whereby much peace, and untiie would grow in the Church and common wealth, and be an occasion, that many subjects might be well taught the meanes of their salvation, who now want sufficient knowledge of the word of God to ground their faith upon.

And to take away another grosse sinne, which is made lawfull by act of Parliament, whereby the land is made guiltie thereof, viz. concerning none residents, and pluralitie of benefices, we did passe a bill in the last Sessions of Parliament, and have another bill concerning that offence ready to passe being twise read, and agreed upon at the Committees, whereby wee abrogate so much of the statute of the 21. yeare of King *Henry* the 8. as did inable

none

non residents, or the taking of more benefices then one with cure of soules, for by the provisions in that Statute, the Kings Chaplaines may have as many benefices as they can get without stint, and some others may have foure benefices with cure at one time, in severall counties, and some two benefices, and yet bee resident upon none of them, so long as he attendeth upon his Lord, or Master, which is a thing intolerable in a Christian common wealth.

And for that some scandalous Ministers of evill life doe bring a great slander to all the rest, being many godly and learned Preachers, wee did make a good law to remove such scandalous Ministers from their place.

And where by the lawes of God, and the lawes of this Realme the Ecclesiasticall persons should, in their government, use onely the spirituall sword by exhortation, admonition, and excommunication, which are the keyes of the Church to exclude impenitent sinners, and to receive into the Church, the penitent and faithfull persons, and to leave the temporall sword, to the temporall Magistrate, which was alwaies so used in *England* untill the second yeare of King *Henry* the fourth, at which time Popish Prelates, following the example of the man of sinne at Rome, obtained a Statute without the free consent of the Subjects (as is set forth by *M. Foxe*, and in some sort, appeareth by the record of the Tower) by which Statute they got the temporall sword into their hands, which Statute was since, by several acts of Parliament, made voide with great disgrace, and yet by colour of that temporall authoritie once, by a short space by them used, some Ecclesiasticall persons doe use both swords, to the great griefe, and trouble of the subjects, and with those two swords, they doe also use the oath *ex officio*, which began first in *England*, by that Statute of the second yeare of King *Henry* the fourth, being contrary to the lawes of *England*, and (as I verily thinke) contrary to the lawes of God.

Wherefore wee to reforme those great abuses, made two good lawes, the one to abridg the force of the Ecclesiasticall commission in many points: the other to abrogate and to take away the power of Ecclesiasticall persons, to minister the oath *ex officio* being a very hatefull thing, and unlawfull.

And for that among the Canons, late made by the Clergie of *England* in that Convocation, it was thought, that some of their Canons did extend to charge the bodies, lands, and goods of the subjects of the Realme further then was lawfull, and meet, wee therefore made a good law to make voide such Canons, as doe charge the bodies, lands, and goods of the subjects, unlesse that the same Canons were confirmed by Parliament.

And as we had care of the Church, so had wee care of the common-wealth, touching impositions laid upon the Subjects goods, and marchandize, and other things, and therefore after long travell taken by us in searching ancient Records in the Tower of *London*, and in other places, and after great dispute made hereupon, in open House, by many learned Laywers, we found it cleare in our opinion, that impositions laid upon marchandize, or other goods of the subjects of this Realme, by the Kings Majestie, without the free consent of the Subjects in Parliament was not lawfull, and therefore wee did make and passe a bill, by the generall consent of the House of Commons, intended by us all to be a law, thereby to declare that by the lawes of *England*, no imposition could be lawfully laid upon goods, or marchandize of the subjects of *England*, without the consent of the subjects in Parliament.

And because that many subjects were greatly troubled by purveyance, and cattaking notwithstanding the good lawes in that behalfe made to refraine the same, a bill was preferred by some member of the House, for reformation of that abuse, at the beginning of the last Sessions

of

of Parliament; which bill, by all likelihood, had long since passed this House of Commons, if the matter of purveyance had not beene comprehended in the great contract, which matter of great contract being now ended, a new bill concerning purveyance and carriadge is in my hands, now presently to be delivered into the House, to receive such proceeding therein, as shall bee thought meet.

And touching wardship & tenures, because it is thought a heavie law, and grievous to the subjects, after the death of the father to have the sonne, and heire within age taken from the mother and kindred, to bee bought and sould, and with the heire also to take all the lands and tenements of the father, that should many times maintaine both the heire and the rest of the children, for the onely benefit of the Gardian: therefore wee made a very large offer to free the land thereof, which we laboured earnestly to effect, but God hath not blessed it, nor brought to good effect any of those good intended lawes above by me mentioned, although we much desired the same, and had done therein as much as pertained to us to do, which if they had beene well effected, and passed as lawes and Statutes, and that all such grievances, concerning the Church and common-wealth, as we carefully commended unto his Majestie in writing (whereof the copies doe remaine in this house) had procured such amendment of things, as we expected, it had made *England* so honorable and happie in the gouernment thereof, as ever was Kingdome in this world (as I thinke.) And which when the same shall bee well effected, will (as I thinke) make both King, and subjects more happie, then ever they were. For if all these things so concurred together, as we wished and laboured for, what would wee not give to supply the Kings wants, & to support him in a most Royall and princely state. But *rebus sic stantibus*, as is before

declared, without reformation of those things, which were by us so earnestly sought, wee cannot give much to supply the Kings wants, because wee know no certainty of that which should remaine to us after our gift, so as, in mine opinion, the good proceeding of this Parliament hath not beene hindred by us, which is all I meane to say at this time.

The

The particulars to bee contracted for, in consideration of two hundred thousand pounds, *per annum* to bee paid unto his Majestie.

1. *Wardships, and Tenures, with their particular dependences, shall be utterly taken away.*

2. *The Maxime,* Nullum tempus occurrit Regi; *shall be no longer of any effect.*

3. *All the Kings patents shall be expounded for the good of the Patentees and according to the true meaning.*

4. *No forfeiture shall bee taken by the King, of his tenures, for nonpayment of rent.*

5. *Any subject shall pleadd the generall issue (not guilty) upon information of intrusion.*

6. *All penall lawes, and informations shall be reduced for the best ease of the subject.*

7. *All manner purveyance taken by prerogative, cart taking, compositions, and commissions therefore, and Praemption (except of time) shall bee utterly taken away, and no Clerke of the Market shall set price on any victuall, nor any other shall doe the same.*

8. *All prefines, and post fines to be due upon alienation by fine and recovery, shall be taken away.*

9. *Debts shall be paid to the Subjects before any advantage be taken, by the King, of forfeitures upon outlaries, or attainders of fellons, or traitors.*

10. *That clause in the statutes of* 34. *and* 35. *of* Henry 8. *touching alteration of lawes in Wales shall bee repealed.*

11. *Every subject that hath possessed land by the space of* 60. *yeares where the King, in that time, hath not had the possession, or profit thereof, by the space of one yeare, shall bee*

be free from the Kings claime. And if the King within that
space [illegible] right [illegible] that rent onely shall remaine to the King.

12. [illegible] shall be [illegible]
shall be [illegible]

13. The King shall expresse the cause of demurrer in pleading against any of his subjects.

14. Fees of all courts to be paid by the subjects shall be expressed in a booke in print.

15. All Lawes obsolete, that are penall, shall be reduced to one law.

16. No protection against Law shall be granted by the King.

17. Any thing doubtfull in any of these articles shall be explained by our selves.

18. Any other matter, which at our next meeting, we shall conceive to be for ease of the subjects, & shall not detract from the King, in point of [illegible], or profit, shall be passed in this generall.

To

To the Kings most excellent Majestie.

MOst gracious soveraigne, whereas we your Maiesties most humble subiects the commons assembled in Parliament, have received first by message, and since by speach, from your Maiestie a commandement of restraint from debating in Parliament, your Maiesties right of imposing upon your subiects goods exported, or imported out of, or into this Realme, yet allowing us to examine the grievances of those impositions in regard of the quantitie, time, and other circumstances of disproportion thereto incident: wee your said humble subiects nothing doubting, but that your Maiestie had no intent, by that commandement, to infringe the auncient, and fundamentall right of the liberties of Parliament, in point of exact discussing of all matters concerning them, and their possessions, goods, and rights whatsoever: which yet wee cannot but conceive to be done, in effect, by this commandement, doe with all humble dutie make this remonstrance to your Maiestie.

First we hold it an ancient, generall, and undoubted right of Parliament to debate freely all matters which do properly concerne the subiect, and his rights: in which freedome of debate being once restrained, the essence of the liberties of Parliament is with all dissolved.

And whereas, in this case, the subiects right on the one side, and your Maiesties Prerogative on the other cannot possibly be severed in debate of either, wee alledge that your Maiesties prerogatives of that kind consisting directly in the subiects right, and interest, wee daily handle and discusse in all Courts at Westminster, and have heretofore freely debated upon all occasions, but in this, and all former Parliaments without restraint. Which

being forbidden, it is impossible for the subject either to know, or maintaine his right and propertie to his owne lands, and goods though never so just and manifest.

It may further please your Most excellent Majestie to understand that wee have no mind to impugne, but a desire to informe our selves of your highnes Prerogative in this poynt, which if ever, is now most necessarie to be known. And though it were to no other purpose, yet to satisfie the generalitie of your Majesties subjects, who finding themselves much grieved by these new Impositions, doe languish in much sorrow, and discomfort. These reasons (dreade Soveraine) being the proper reasons of Parliament, doe plead for the upholding of this our ancient right and libertie. Howbeit, seeing it hath pleased your Majestie to insist upon that judgement in the Exchequer, as being direction sufficient for us, without further examination, upon great desire of leaving your Majestie unsatisfied in no one point of our intents, and proceedings, we professe touching that judgement. That we neither do nor will take upon us to reverse it: but our desire is to know the reasons whereupon the same was grounded. And the rather, for that a generall conceipt is had, that the reasons of that judgement may be extended much further, even to the utter ruine of the ancient libertie of this Kingdome, and of the subjects right of propriete to have lands, and goods. Therefore the judgement is false, being the first and the last that ever was given in that kind, for ought appearing unto us, and being only in one case, and against one man, it can binde in law no other then that person, and is also reversable by writ of error granted heretofore by act of Parliament. And neither her, nor any other subject is debarred by it from trying his right in the same, or like case in any of your Majesties Courts of record at Westminster.

Lastly

Lastly we nothing doubt, but your intended proceeding, in a full examination of the right, nature, and measure of these new Impositions (if this restraint had not come betweene) should have beene so orderly, and moderately caried, and so applied to the manifold necessitie of these times, and giuen your Majestie so true a view of the state, and right of your subjects, that it would have beene much to your Majesties content, and satisfaction (which wee most desire) and removed all cause of feares, and jealousies from the loyall hearts of your subjects, which is (as it ought to bee) our carefull indeavour. Whereas contrarywise, in that other way directed by your Majestie, wee cannot safely proceed, without concluding, for euer, the right of the subject: which without due examination thereof, we may not doe.

We therefore, your highnes loyall and dutifull commons, not swerving from the approved steps of our ancestors, most humbly and instantly beseech your gracious Majesty, that without offence to the same, we may (according to the undoubted right, and libertie of Parliament) proceed in our intended course of a full examination of these new impositions, that so we may cheerefully pass on to your Majesties busines, from which this stop hath, by diversion, so long with-held us. And wee your Majesties most humble, faithfull, and loyall subjects, shall euer, according to our bounden dutie, pray for you Majesties long and happie raigne ouer us,

Delivered by 20. of the lower house of Parliament the 24. of May 1610:

Most

Last, we humbly, but your Majesty's pleasure dying, in a full examination of the right, nature, and measure of these new Impositions (which reflecting upon the commerce seems) should have been so nearly, and prudently called, and to applied to the manifold necessities of these times, and given your Majesty's subjects a view of the duty, and right of your subjects, that it would have become much to your Majesties content, and satisfaction (which we most desire) and removed all cause of fears, and jealousies from the loyall hearts of your subjects, which is (as it ought to be) our cardinall endeavour. Wherein contrary-wise, in that other way directed by your Majesties, we cannot (likely proceed, without concluding, for ever, the right of the subject: which with our due examination thereof, we may not doe.

We therefore, your highnes loyall and dutifull commons, not swerving from the approved laws of our ancestors, most humbly and intirely beseech your gracious Majesty, that without offence to the same, we may (according to the undoubted right, and liberty of Parliament) proceed in our intended course of a full examination of these new impositions, that so we may chearefully put on to your Majesties behoof, from which this hop hath, by diversion, so long with-held us. And we your Majesties most humble subjects, and loyall vassals, shall ever, according to our bounden duty, pray for you Majesties long and happie raigne over us.

Printed by Bo. of by Bow-bell of
Printing-press of Mary Bear.

Petition.

MOst gracious and dread Soveraigne, Sith it hath pleased Almightie God, of his unspeakable goodnesse and mercie towards us, to call your Maiestie to the gouernment of this kingdome, and hath Crowned you with supreme power, as well in the Church, as in the common wealth, for the aduancement of his glorie, and the generall benefite of all the subiects of the land. Wee doe with all humilitie present at the feete of your excellent Maiestie our selues, and our desires full of confidence in the assurance of your religious minde, and princely disposition. That you will be graciously pleased to giue life, and effect to these our petitions greatly tending, (as vndoubtedly wee conceiue) to the glorie of God, the good of his Church and safetie of your most royall person, wherein wee acknowledge our greatest happines to consist.

Whereas good and prouident lawes haue beene made for the maintenance of Gods true religion and safetie of your Maiesties most royall person, issue, and estate, against Iesuites, seminarie Priests, and popish recusants. And although your Maiestie by your godly learned, and iudicious writings haue declared your princely, and christian zeale in the defence of the religion established, and haue very lately (to the comfort of your best affected subiects) published to both houses of Parliament your princely will and pleasure, that recusants should not be concealed, but detected and conuicted: yet for that the lawes are not executed against the Priests, who are the corrupters of the people in religion, and loyaltie, and many Recusants haue already compounded, and (as it

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is to be feared) more and more (except your Maiestie in your great wisdome) Prevent the same) will compound with those that beg their penalties which maketh the lawes altogether fruitlesse, or of little or none effect, and the offenders to become bold, obdurate, and unconformable: Your Maiestie therefore would be pleased, at the humble sute of your Commons in this present Parliament assembled, in the cause so highly concerning the glorie of God, the preservation of true religion, of your Maiestie and state, to suffer your highnesse naturall clemencie to retire it selfe and to give place unto Iustice, and to lay your royall command upon all your ministers of Iustice both ecclesiasticall and civill, to see the lawes made against Iesuites, Seminarie Priests and Recusants (of what kind and sect soever) to be duely, & truely executed, without dread, or delay. And that your Maiestie would bee pleased likewise to take into your owne hands, the penalties due for recusancie, and that the same bee not converted to the private gaine of some, to your infinite losse, the imboldning of the Papists, and decay of true religion.

2. Whereas also divers painfull, and learned Pastors, that have long travelled in the worke of the Ministerie, with good fruit and blessing of their labours, who were ever ready to performe the legall Subscription appointed by the Statute of 13. Elizabe which onely concerneth the confession of the true Christian faith and doctrine of the Sacraments, yet for not conforming in some points of ceremonies, and refusing the subscription directed by the late Canons, have been removed from their ecclesiasticall livings being their freehold, and debarred from all meanes of maintenance, to the great griefe of sundry your Maiesties well affected subiects, seeing the whol people, that want instruction, lye open to the seducements of popish and ill affect persons: Wee therefore most humbly

humbly beseech your Majestie would be graciously pleased, that such deprived and silenced ministers may by licence or permission of the reverend fathers in their severall dioceses, instruct and preach into their people in such parishes and places, where they may be employed: so as they apply themselves in their Ministery to wholsome doctrine and exhortation, and live quietly and peaceably in their callings and shall not by writing or preaching impugne things established by publick authority.

13. Whereas likewise through pluralitie of benefices, & toleration of non-residencie in many who posses not the meanest livings with cure of soules; the people in diverse places want instruction, and are ignorant, and easy to be seduced, whereby the adversaries of our religion gaine great advantage, and although the pluralists, and non-residents doe frame excuse of the smalnesse of some livings, and pretende the maintenance of learning, yet wee finde by experience that they, coupling many of the greatest livings, doe leave the least helpless, and the best as ill served, and supplied with preachers, as the meanest. And where pluralists heaping up many livings into one hand, doe by that meanes keepe divers learned men from maintenance to the discouragement of Students, and the hinderance of learning and the non-residents (for feelings or absenting themselves from their pastorall charges do leave the people, as a prey unto the Popish Seducers. It might therefore please your most excellent Maiestie for remedy of these evils in the Church to provide, that dispensations for purallitie of benefices with cure of souls may be prohibited, and that toleration of non-residencie may bee restrained. So shall true religion bee better upheld, and the people more instructed in divine, and civill duties.

4. And

4. And for asmuch as excommunication is the heaviest Censure for the most grievous offences which the Church doth retayne, yet exercised upon an incredible number of the common people by the subordinate officers of the jurisdiction ecclesiasticall, most commonly for very small causes grounded upon the sole information of a base apparitour, in which case the parties, before they can bee discharged, are driven to excessive expence for matters of very small moment, so that the richer breake through more haynous offences, and escape that censure, by commutation of penance to the great scandall of the Church government, in the abuse of so high a censure, the contempt of the censure it selfe; and grievance of your Majesties poore subjects.

Wherefore your Maiesties dutifull commons most humbly beseech your highnes, that some due , and fit reformation may be had in the premisses.

Most

Grievances.

To the Kings most excellent Majestie.

MOst gracious Soveraigne, your Majesties Most humble commons assembled in Parliament being moved, as well out of their duty and zeale to your Majestie, as out of the sense of ſuſt griefe, wherewith your loving subjects are generally through the whole Realme at this time poſſeſſed, because they perceive their common and ancient rights and libertie to bee much declined, and infringed in theſe late yeares, Doe with all duty and humilitie, preſent theſe our juſt complaints thereof to your gracious view, most instantly craving juſtice therein and due redreſſe. And although it bee true, that many of the particulars whereof we now complaine, were in some uſe in the late Queenes time, and then not much impugned, because the uſage of them being then more moderate gave not ſo great occaſion of offence, and consequently not ſo much cauſe to inquire into the right and validitie of them. Yet the right being now more throughly ſcanned, by reaſon of the great miſchiefs and inconveniences which the ſubjects have thereby ſuſtained, wee are very confident, that your Majeſtie will bee ſo far from thinking it a point of honour, or greatnes to continue any grievance upon your people, becauſe you found them begun in ſome of your Predeceſſors times, as you will rather hold it a worke of great glory to reforme them, ſince your Majeſtie knoweth well, that neyther continuance of time, nor errours of men, can or ought to prejudice truth of juſtice; and that nothing can bee more worthy of ſo worthy a King, nor more anſwerable to the great wiſedome, and goodneſſe which abounds in you, then to underſtand the griefes, and redreſſe the

wrongs of so loyall, and well deserving a people. In this confidence (dread Soveraigne) wee offer these grievances (the particulars whereof are hereafter set downe) to your gracious consideration, and wee offer them out of the greatest loyaltie, and dutie that subjects can beare to their Prince. Most humbly and instantly beseeching your Majestie, (well for justice sake (more than which (as wee conceive) in these Petitions we doe not seeke) usuall for the better assurance of the state, and generall repose of your faithfull and loving subjects, and for testimonie of your gracious acceptation of their full affections, declared at well by their joyfull receiving of your Majestie, as your happie entrance into this Kingdome, which you have beene often pleased, with favour to remember; as also by their extraordinarie contributions granted since unto you, such as have never been yeelded to any former Prince, upon the like crimes, and occasions, that we may receive to these our complaints your most gracious answer: which we cannot doubt but will be such, as may be worthie of your Princely selfe, and will give satisfaction, and great comfort to all your loyall, and most dutifull loving subjects; who doe, and will ever pray for the happie preservation of your most Royall Majestie,

New Impositions.

THe policie and conſtitution of this your kingdome appropriates unto the Kings of this Realme, with the aſſent of the parliament, aſwell the ſoveraigne power of making lawes, as that of taxing, or impoſing upon the ſubjects goods, or merchandizes, as may not, without their conſents, be altered, or changed. This is the cauſe, that the people of this Kingdome, as they ever eſteemed themſelves faithfull, and loving to their Kings, and ready to aide them in all their juſt occaſions, with voluntarie contributions, ſo have they beene ever carefull to preſerve their owne liberties and rights, when any thing hath been done to prejudice or impeach the ſame. And therefore when their Princes occaſioned eyther by their warres, or their over-great bounty, or by any other neceſſitie, have without conſent of Parliament, ſet impoſitions, either within the land, or upon commodities eyther exported, or imported by the Marchants, they have, in open Parliament, complained of it, in that it was done without their conſents. And thereupon never failed to obtaine a ſpeedy, and full redreſſe, without any claime, made by the Kings of any power, or prerogative in that point. And though the law of proprietie bee originall, and carefully preſerved by the common lawes of this Realme, which are as ancient as the kingdome it ſelfe; yet theſe famous Kings, for the better contentment and aſſurance of their loving ſubjects, agreed, that this old fundamentall right ſhould bee further declared, and eſtabliſhed by act of Parliament. Wherein it is provided, that no ſuch charges ſhould ever bee laid upon the people, without their common con-

[illegible] by sundry records of former times.
We therefore your Majesties most humble [illegible] assembled in Parliament, following the example of this worthy care of our ancestors, and out of a dutie of those for whom wee [illegible] finding that your Majestie without advise or consent of Parliament, hath lately, in time of peace, set both greater impositions, and farre more in number, then any your noble ancestors did ever, in time of warre, have with all humility presumed to present this most just, and necessar Petition unto your Majestie.
That all impositions set without the assent of Parliament may be quite abolished, and taken away, and that your Majestie in imitation like wise of your noble Progenitors, will be pleased, that a law may be made during this session of Parliament, to declare that all impositions set, or to be set upon your people, their goods or merchandises, save only by common consent in Parliament, are, and shall be voide. Wherein your Majestie shall not onely give your subjects good satisfaction in point of their right, but also bring exceeding joy, and comfort to them which now suffer, partly through the abating of the price of native commodities, and partly through the rising of all forraigne, to the overthrow of Merchants and shipping, the cause of a generall death, and decay of wealth among your people, who will be thereby no lesse discouraged, then disabled to supply your Majestie, when occasion shall require it.

Com-

Commission ecclesiasticall.

WHereas by the statute 1. Eliz. cap. 1. intituled an Act restoring to the Crowne the auncient jurisdiction over the state ecclesiasticall, &c. power was given to the Queene, and her successors to continue, and make a Commission in causes ecclesiasticall, the said Act is found to be inconvenient, & dangerous extents in divers respects. Firste, for that it inableth the making of such a Commission as well to any one subiect borne, as to more. Secondly, for that whereas by the intention, and words of the said statute, ecclesiasticall jurisdiction is restored to the Crowne, and your highnes, by that statute inabled to give and ioyn such power ecclesiasticall to the said commissioners; yet under colour of some words in that statute, whereby the Commissioners are authorised to execute their Commission according to the tenour, and effect of your highnesse letters patents, and by letters patents grounded thereupon, the said Commissioners doe fine, and imprison, and exercise other authoritie not belonging to the ecclesiasticall jurisdiction restored by that statute, which wee conceive to bee a greate wronge to the subiect; And that those Commissioners might as well by colour of those words, if they were so authorized by your highnesse letters patents, fine without stint, and imprison without limitation of time, as also according to will, and discretion, without any rules of law, spirituall or temporall, adiudge and impose utter confiscation of goods, forfeiture of landes, yea, and the taking away of limme and of life it selfe; and this

for

for any matter whatsoever parteyning to spirituall iurisdiction. Which never was, nor could be ment by the makers of that law. Thirdly for that by the said statute the King, and his successors may (however your Maiestie hath beene pleased yet of your gracious disposition otherwise to order) make and direct such Commission into all the Counties, and Dioceses, yea into every parish of England, and thereby all causes may be taken from ordinarie iurisdiction of Bishops, Chancellors, and Archdeacons, and lay men solely be inabled to excommunicate, & exercise all other censures spirituall. Fourthly for that every petty offence parteining to spirituall iurisdiction, is, by colour of the said words, and letters Patents grounded thereupon, made subiect to excommunication and punishment by that strange and exorbitant power and commission whereby the least offenders, not committing any thing of any enormious, or high nature may be drawne from the most remote places of the kingdome to London, or Yorke, which, is very grievous, and inconvenient. Fiftly for that little touching causes subiect to this commission, being only with these words, viz. *Such as pertaine to spirituall & ecclesiasticall iurisdiction*; it is very hard to know what matters, or offences are included in that number. And the rather because it is unknowne, what ancient canons, or lawes spirituall are in force, and what not: from whence ariseth great incertaintie, and occasion of contention.

And whereas upon the same statute a commission ecclesiasticall is made; Therein is grievance apprehended thus. First for that thereby the same men have both spirituall and temporall iurisdiction, and may both force the party by oath to accuse himselfe of an offence, and also to inquire thereof by a iurie, and lastly may inflict for the same offence, at the same time, and by one and the same sentence, both a spirituall and temporall punishement.

Secondly

Secondly whereas, upon sentences of deprivation or other spirituall censures given by force of ordinarie iurisdiction, an appeale lyeth for the partie grieved; that is here excluded by expresse words of the Commission. Also here is to be a tryall by iury, yet no remedy by traverse, nor attaint. Neither can a man have any writ of errour, though a iudgement or sentence be given against him, amounting to the taking away of all his goods and imprisoning him during life: yea to the adiudging him in the case of Premunire, whereby his lands are forfeyted, and he out of the protection of the lawe. Thirdly, that whereas penall lawes, and offences against the same cannot be determined in other courts, or by other persons, then by those trusted by Parliament with the execution thereof, yet the execution of many such statutes (diverse whereof were made since 1. Eliz.) are commended and committed to these Commissioners ecclesiasticall, who are either to inflict the punishment conteined in the statutes being premunire, and of other high nature, and so to inforce a man upon his owne oath to accuse & expose himselfe to these punishments, or else to inflict other temporall punishments at their pleasure. And yet before, and after that done, the parties shall be subiect to the Courtes mentioned in the Acts, to punishments by the same acts appointed and inflicted. Which two thinges very unreasonable. Fourthly, that the commission giveth authority to inforce men called into question to enter into recognisance not only for appearance from time, to time, but also for performance of whatsoever shall be by the commissioners ordered. And also that it giveth power to enioyne parties defendant or accused, to pay such fees to ministers of the court, as by the commissioners shall be thought fit.

And touching the execution of the commission, it is found grievous these wayes among other. First for that lay men are by the Commissioners punished for speaking

(other-

(otherwise then in Iudiciall places, and courses) of the Symonie and other misdemeanours of Spirituall persons, though the thing ſpecified be true; and the ſpeech tending to the inducing of ſome condigne puniſhment. Secondly, In that theſe commiſſioners uſually appoint and allow to women diſcontented at, and unwilling to live with their husbands ſuch penſions, and allowances for preſent maintenance, as to them ſhall ſeeme fit; to the great incouragement of wives to bee diſobedient, and contemptuous againſt their husbands. Thirdly, in that their purſuivants, or other miniſters imployed in the apprehenſion of ſuſpected offenders in any things Spirituall, and in the ſearching for any ſuppoſed ſcandalous bookes, uſe to breake open mens houſes, cloſets, and deskes rifling all corners, and ſecret cuſtodies, as in caſe of high treaſon, or ſuſpicion thereof. All which premiſſes among other things conſidered, Your Majeſties moſt loyall, and dutifull ſubiects in all humblenesſe beſeech your Majeſtie that for the eaſing of them, aſwell from the preſent grievance, as from the feare, and poſſibilitie of greater in ſucceeding times, your highneſſe would vouchſafe your royall aſſent, and allowance to, and for the ratifying of the ſaid Statute, and the reducing the ſame, and conſequently of the ſaid commiſſion to reaſonable, and convenient limits, by ſome act to be paſſed in this preſent ſeſſion of Parliament.

Humbly, that the commiſſioners may not touching the execution of the commiſſion, it is found priviledge there ways among other. Firſt for that lay men are by the Commiſſioner puniſhed for ſpeaking

(other-

Proclamations.

AMongst many other points of happineſſe, and freedome which your Majeſties ſubjects of this Kingdome have injoyed under your royall Progenitors, Kings and Queenes of this Realme, there is none which they have accounted more deare, and pretious then this, to bee guided, and governed by the certaine rule of the law (which giveth both to the head, and members, that which of right belongeth unto them) and not by any uncertaine or arbitrary forme of government. Which as it hath proceeded from the originall good conſtitution, and temperature of this eſtate: ſo hath it beene the principall meanes of upholding the ſame in ſuch ſort, as that their Kings have beene juſt, beloved, happie and glorious, and the Kingdome it ſelfe peaceable, flouriſhing and durable ſo many ages. And the effect, aſwell of the contentment that the ſubjects of this Kingdome have taken in this forme of government, as alſo of the love, reſpect, and duetie which they have, by reaſon of the ſame, rendred unto their Princes, may appeare in this; That they have, as occaſion hath required, yeelded more extraordinarie and voluntary contributions to aſſiſt their Kings, then the ſubjects of any other knowne Kingdome whatſoever. Out of this roote hath growne the indubitable right of the people of this Kingdome: not to be made ſubject to any puniſhment, that ſhall extend to their lives, lands, bodies, or goods, other then ſuch, as are ordained by the common lawes of this land, or the Statutes made by their common conſent in Parliament. Nevertheleſſe it is apparent both that Proclamations have beene, of late yeares, much more frequent, then heretofore, and that they are exten-

extended, not onely to the libertie, but also to the goods, inheritances, and livelihood of men, some of them tending to alter some points of the lawe, and make a new. Other some made, shortly after a session of Parliament, for matter directly rejected in the same session; other appointing punishments to be inflicted before lawfull triall, and conviction; Some containing penalties in forme of penall statutes: some referring the punishment of offenders to the courts of arbitrary discretion, which have laid heavie and grievous censures upon the delinquents: Some, as the Proclamation for Starch, accompanied with Letters commanding inquirie to bee made against the transgressors, at the quarter sessions: and some vouching former Proclamations to countenance, and warrant the later, as by a catalogue here under written more particularly appeareth. By reason whereof there is a generall feare conceived, & spread amongst your Majesties people, that Proclamations will, by degrees, grow up, and increase to the strength, and nature of lawes. Whereby not onely that ancient happinesse, freedome will be much blemished (if not quite taken away) which their ancestors have so long injoyed: but the same may also (in processe of time) bring a new forme of arbitrary government upon the Realme. And this their feare is the more increased by occasion of well of certayne bookes lately published, which ascribe a greater power to Proclamations then heretofore hath beene conceived to belong unto them; as also of the care taken to reduce all the Proclamations made since your Majesties raigne, into one volume; and to print them in such forme as Acts of Parliament formerly have beene, and still are used to bee: which seemeth to imply a purpose to give them more reputation and more establishment, then heretofore they have had. We therefore your Majesties humble subjects the Commons in this Parliament assembled, taking these matters into our consideration, and weighing how much it doth con-

concerne your Majestie, both in honour and safety, that such impressions should not be suffered to settle in your subjects minds, have thought it to appertaine to our duties, as well towards your Majestie, and to those that have trusted, and sent us to this service, to present unto your Majesties view these feares, and griefes of your people, and to become humble suiters unto your Majestie, that henceforth no fine, or forfayture of goods, or other pecuniarie, or corporall punishment, may bee inflicted upon your subjects (other than restraint of liberty, which wee also humbly beseech may be, but upon urgent necessity, and to continue but till other order may bee taken by course of law) unles they shall offend against som lawe or statute of this Realme in force at the time of their offence committed. And for the greater assurance, and comfort of your people; That it will please your Majestie to declare your royall pleasure to that purpose, either by some law to be made in this session of Parliament, or by some such other course (whereof your people may take knowledge) as to your Princely wisedome shall seeme most convenient.

Proclamations importing alterations of some points of the Law, and making new.

THe 11. of *January* 1. *Jac.* f. 57. forbiddeth choosing of Knights, and Burgesses bankerupts, or outlawed, and commandeth choyce of such, as are not onely taxed to subsidies, but also have ordinarily paid, and satisfied the same. f. 59. No returnes be made contrary to the Proclama-

clamation, they are to be rejected, as unlawfull, and insufficient. f. 60.

25. *August* 5. *Iac.* f. 151. That the Proclamation shall be a warrant to any officer, or subject to seise Starch, and so dispose, or destroy any stuffe, &c. and restraineth all men not licenced to make starch. f. 154.

2. A Proclamation made shortly after Parliament for matter directly rejected the precedent session.

1. *March* 2. *Jac.* f. 102. A Proclamation for building with bricke after a bill to that end rejected.

3. Proclamations touching the freehold, and livelihood of men.

16. *September* 1. *Ja.* f. 41. Raising and pulling downe howses authorised, and prohibition to build them againe at any time. f. 42. 12. *Oct.* 5. *Ia.* f. 160. forbidding building and taking away the materialls; and appointing the owners land to be let by other men, at what price they please. f. 161.

4. Proclamations referring punishment to be done by Justices of Peace, Majors, Bailives, Constables, and other Officers; or seisure by persons who have no authoritie to require, heare, and determine of those offences. So it is to be inflicted before lawfull triall and conviction.

8. *Ian.* 2. *Ia.* f. 72. A Proclamation for folding wooles.
23. *Aug.* 5. *Ia.* f. 151. seisure of Starch, &c. f. 154.

5. Proclamations penned with penalties in forme of penall Statutes.

4. *Nov.* 1. *Ia.* f. Paine of confiscation of goods, f. 56.
18. *Jan.* 2. *Ja.* f. 72. Ten dayes imprisonment and standing in the Pillory, f. 72. Justices of peace to forfeit 20. pounds

pounds, if they ſee not the Proclamation of foulding wooles executed, f. 75.
23. *Aug.* 5. Ia. f. 152. forfeiture of one moitie of ſtarch &c. ſeiſed &c. 154.

6 Puniſhment of offenders in courts of arbitrary diſcretion, as ſtarre chamber.
1. *Mar.* 2. Ia. f. 102. Proclamation for building. f. 103. 12. Oct. 5. Ia. 159. Proclamation for building, f. 160. 5. *July*. 6. Ia. f. 177. Procl. for ſtarch. f. 180. 25. *July* 6. Ia. f. 180. Procl. for building, f. 181.

7. Proclam. former become preſidents, and vouched in latter Proclam.
18. *June* 2. Ia. f. 75. avoucheth 5. E. 6. and 4. Eliz. f. 73. 25. *July* 6. Ia. f. 180. mentioneth former proclam. againſt buildings, and explaineth, and qualifieth them. f. 181.

Stay of VVritts of prohibition, &c.

YOur Maieſties commons in this ſeſſion of Parliament aſſembled, doe cheerefully acknowledge the ſpring and fountaine of the publique juſtice of this ſtate to bee originally in your Maieſtie, from whom the benefit therof is conveyed, and derived into every member of this politique body by your Highnes writs. Amongſt which none are more honourable for the ſupport of the common juſtice of the realm, then the writts of *prohibition*, *habeas corpus*, *& de homine replegando*: which writts have beene ever held, and found to be a chiefe meanes of reliefe unto the

the poore distressed, and oppressed subjects of this kingdome, and can be no inconvenience at all. Seing they are no way conclusive against any man, and doe draw no benefit to the procurers, but rather a fruitlesse charge, if they be obteined vpon any unjust ground, or pretence. In the free grantting of, and proceeding upon some of which writts, especially that of prohibition, there hath been of late observed to bee some obstruction, by reason, that upon the complaints, and importunitie of some who desire the support of inferiour courts against the principall courts of the common law (wherewith your Maiestie hath been greatly troubled) you have taken into your royall consideration the severall extents of the iurisdiction of the said severall courts. Since which time the said writts have been more sparingly, graunted, and with stricter cautions then anciently hath been accustomed. It is therefore most humbly desired, that it may please your Maiestie (whose glory is never more conspicuous, then when the poorest of the commonalty are blessed with influence of the ancient beames of iustice) to require your Iudges, in the courts of Westminster, to grant the said writts, in cases wherein such writts doe lye, and by law are grantable: And in such sort, as that such persons, whose bodies being either committed to Prison, or their causes like to receive great prejudice by proceedings against them, in times of vacation, may not bee debarred nor deferred from having the speedy reliefe and benefit of those writts, more then in former times.

4. *Shires.*

FOr asmuch as the exercise of authoritie over the counties of *Gloceſter*, *Hereford*, *Wigorne*, and *Salop*, by the preſident, and councell of *Wales* by way of inſtructions, upon pretext of a ſtatute made in the 34. yeare of the raigne of King *Henry* the 8. is conceived not to bee warranted by that or any other law of this Realme of *England*. And for that in the ſecond ſeſſion of this preſent Parliament, there did a bill paſſe the Houſe of Commons, whereby it was declared, that the true intent and meaning of that before mentioned Statute, was not thereby to ſubject theſe countries to that kinde of governement by inſtructions. And yet notwithſtanding the inhabitants of thoſe Counties are ſince utterly diſcouraged, and in effect, debarred from triall of the right of that kind of juriſdiction over theſe countries, by the ordinary courſe of the common lawes of this land; by reaſon of *Prohibitions*, which were heretofore frequently granted (upon ſuggeſtion, that theſe countries are not part of Wales or of the Marches of the ſame (which is the very point in queſtion) are now become very hard to be obtained, except in caſes, where thoſe of that councell doe exceede the inſtructions ſet downe to them by your Majeſtie. As alſo for that, in caſes, where actions have beene brought at the common law, whereby that queſtion might have come to diciſion, the plaintiffes have beene ſtopped, ſometimes by injunctions out of your Majeſties court of Chancery, from their proceedings ſometime before, ſometime after iudgements, and ſometime alſo by impriſonment. The precedent of which proceedings doth concerne all your Maieſties loyall and dutifull ſubiects of this king-

dome,

dome, aſwell in reſpect of the ſtopping of the free courſe of Iuſtice: as alſo, by reaſon that if that kind of juriſdiction were at firſt extended over thoſe 4. counties, and bee now ſtill continued without warrant of law: then conſequence of this example may, in future times, give countenance to the erecting of like juriſdictions in other places of this Realme. And for almuch as your Maieſtie was pleaſed to command all the Iudges to conſider of this queſtion, & that they therupon beſtowed very many dayes in hearing the cauſe argued by learned counſaile on both ſides. And in viewing and conſidering of great numbers of records produced before them, concerning this cauſe: whereby, they have (no doubt) throughly informed themſelves of the right.

It is therefore the moſt humble petition of the commons in this preſent Parliament aſſembled, that your moſt excellent Maieſtie will be pleaſed to command, that the Iudges may deliver their opinion upon that ſo exact, and deliberate hearing, which was had before them, concerning the right of the foreſaid juriſdiction over thoſe 4. Counties by force of that ſtatute. And that the opinion which they ſhall deliver therein, may be in ſuch ſort publiſhed, as that all your Maieſties ſubiects whome it may concerne may have meanes to take knowledge thereof. And that your Maieſtie will vouchſafe to declare it by your moſt princely pleaſure, that any of your Maieſties ſubiects who may have occaſion thereof may trye his or their right in that point by due, & ordinarie couſe of the common lawe, either by ſuing out of prohibitions, or any other your Maieſties writs without reſtraint. And that if the ſaid iuriſdiction over thoſe 4. Counties ſhall appeare to your Maieſtie, by the opinion of the Iudges or otherwiſe, not to be warranted by law, that then your Majeſtie bee pleaſed out of your moſt princely and gracious favour towards all your loyall, and dutiful ſubiects,

to

to order the ceasing of the said jurisdiction over those countries, to the great comfort of the inhabitants of those counties, and the rest of your Majesties subjects of all the kingdome.

New Drapery.

COmplaint was made, in all humble manner, the second session of this present Parliament, of many disorders, outrages, and oppressions committed upon occasion of letters patents granted to the Duke of *Lenox*, for the searching, and sealing of stuffes, and manufactures, called by the name of *New Drapery*: which patent we held in all, or the most parts of it, to bee questionable, and in many apparently unlawfull: and the execution thereof wee found stretched by the farmers, and deputies beyond the extent of the said letters patents, as appeare in the particulars set downe in the said grievance. To which it pleased your Majestie to give this gratious answer, that the validitie of the said patent should be left to be judged by the law. And whensoever any abuse arising in the execution thereof should appeare, it should be severely punished. Which was for that time, to our good satisfaction: yet finding, by diverse complaints made now in Parliament, that not onely the said Letters Patents are still in force, and the validitie of them undecided by judgement, but disorder in the execution of them are so farre off from being reformed, that they multiply every day to the grievance of your Majesties subjects. And those of the poorer sort, who exercising those manufactures, are subject to much oppression, to the great hindrance of some, and utter undoing of many, as hath appeared in the particularities of the complaints preferred unto us. Our humble desire is, that your Majestie

jesty will be pleased, according to your former resolution, to give order, that this cause, which hath thus long hung in suspence, be speedily brought to judgement: and that before all the Iudges, because it concernes all the subjects of the Land. And, in the mean time, that the execution of the said Letters patents, so far forth as they concerne the said new Draperies, may be suspended till judgement be given: whereby your subjects, who doe in all humilitie present this grievance unto your Majesty, may be relieved, and have no occasion to reiterate their complaints.

Licence of Wines.

WHereas by ancient and late Statutes, it hath been enacted, that Wines should be retayled at such low rates and prices, as for these fifty yeares last past they could not be afforded. And for redresse thereof it was ordeined by a Statute, in the fift yeare of the late Queene *Elizabeth*, that (those former Lawes notwithstanding) Wines might be sold at such prices, as by Proclamation from time to time to be made by consent of divers great officers, should be published and set downe: which Proclamation, nevertheless, the late Queen, and your most excellent Majestie, have been drawn to forbear, upon the earnest suite of certain persons, who therein only intended their private gaine: By reason whereof, both great summs of money in fines, rents, and annuall payments have been gotten, and raised unto the said persons and their adherents; and great damage and prejudice hath likewise fallen and lighted upon your people, not only by inhauncing the prices of Wines, licencing over-many Taverns, and appointing of unmeet persons, in unfit places, to keep the same; But also by reason that corrupt, mingled, evill, and unwholesome

wholesome Wines have been uttered, and sold, to the great hurt of the health of your Highnesse people; One man sometimes ingrossing all the Licences designed for that place. Whereupon complaint being made to your Majesty, amongst other grievances of your people, in the second session of this present Parliament, your Highnesse was pleased to answer, that your grants in that behalfe were no other, than such as were warrantable by the law. Whereas the grievance was the greater, for that all lawes concerning the sale of Wines, being intended, and conceived to be repealed, there were nevertheless, by the overfight of them which were trusted in that businesse, casually omitted, and left unrepealed certaine absolute lawes, impossible to be observed: as namely, one made in the time of King *Edward* the first, commanding Wines to be sold at twelve pence the sexterne, and one other made in the 28. of King *Henry* the eight, prohibiting all persons, under penalty, to sell any French wines above eight pence the gallon, and other Wines, as Sacks, and sweet Wines above twelve pence the gallon: and one branch of a Statute made in the seventh yeare of King *Edward* the sixt, prohibiting men to sell any Wines by retaile in their houses. Whereupon your Majesty hath been induced and drawne to ground new patents of dispensation, and to grant the benefit thereof unto the Lord Admirall: whereby the like discommodities and inconveniences have sithence insued unto the Common-wealth, as formerly did arise and grow upon the other repealed lawes, whereof, in the former petitions of your subjects, exhibited unto your Majesty in the said second session, your Highnesse never had any direct, and cleare information. May it therefore please your most excellent Majesty at the humble request of your Commons (who have taken into consideration the great charges, and expences, which the said Lord Admirall hath been at in your Majesties service, and have considered likewise the present licences, and

grants for valuable consideration unto many hundred of your Highnesse subjects, which without great losse to the said grantees, cannot be so suddenly made voide) out of your Princely wisdome and goodnesse, wherein you have professed not to extend, and straine your prerogative royall against the publique good of your people, for the particular gain of any private persons, To vouchsafe, that from hence forwards, there may no more grants, of that nature, be made unto any of your subjects whomsoever. But that the said Statute of 5. *Elizabeth*, for the appriſing of Wines, to be published by Proclamation, as time and occasion shall require, may be put in execution. And that your Majesty will likewise vouchsafe to grant your royall assent to a Bill of repeale of the said obsolete statutes, and all other, whereupon any such *Non obstantes*, and dispensations might be grounded upon. In which statute of repeale, *proviſo* shall be made for the indemnitie of all such, as under your Majesties great seale have already procured Licence for such sale of Wines.

Alehouses.

WHereas, by the Lawes of this your Majesties Realme of England, no taxes, ayds, or impositions of any kinde whatsoever, ought, or can be laid, and imposed upon your people, or upon any of their goods, or commodities, but onely by authoritie and consent of Parliament. Which being undoubtedly the ancient, and fundamentall law of the Land, is yet, for more abundant clearnesse expressly declared in sundry acts of Parliament, made and inacted in the time of sundry your Majesties Progenitors, the noblest, and most prudent Kings of this Realme. Your commons with just griefe doe complaine

plaine unto your Majeſty, of the late tax, and impoſition laid and impoſed yearely upon ſuch, as are allowed to keepe victualing houſes, or ſell ale, and beere by retaile. Which impoſition not being taxed by aſſent of Parliament, but commanded, and directed onely by letters and inſtructions, your commons are perſwaded that the ſame proceeded rather upon miſinformation, then by the direction, and judgment of your owne moſt noble and royall heart. Wherefore your ſaid commons knowing the griefe of your people in this behalfe, doe (according to their duties) in all humilitie informe and ſignifie unto your Majeſtie: firſt, that the ſaid taxation being ſingular, and without example, is in it ſelfe a Preſident of dangerous conſequence, and (as your people feare) may eaſily (in time) bee extended further; as to badgers of corne, makers of malt, drovers of cattell, & ſuch like, who in ſuch ſort are to bee licenced by Juſtices of peace, as thoſe perſons are, upon whom, at this time, this preſent charge and taxe is laide.

Secondly ſuch houſes, being often times (at the beſt) the barbours of idleneſſe, drunkenneſſe, whoredome, and all maner of felonies, the licences are now (the honeſter ſort, in moſt places, refuſing to undergoe the new charge) rented and taken by the looſer, and baſer ſort of people, who have no conſcience how they gaine: By reaſon whereof all manner of vice, and evill behaviour is likely every day to encreaſe: neither can Juſtices of peace conveniently prevent the ſame: for that the perſons licenced under the late contribution, affirme, with clamour, that they have a toleration for a yeare, and that ſuch perſons are not friends unto the Crowne, that ſeeke to ſuppreſſe them, and thereby to diminiſh your highneſſe revenewes. Thirdly many Juſtices of Peace, (being ſworne to execute their office) which for this particular they conceive to be, that alehouſe keepers formerly licenſed, are not to bee ſuppreſſed without juſt, and reaſonable

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cauſe, cannot bee ſatisfied touching their ſaid oath, but are much diſtracted, and perplexed what to doe (the late inſtructions notwithſtanding) againſt ſuch perſons, as otherwiſe being not knowne to be of evill behaviour, only refuſe to pay this late taxed & impoſed ſumme of money. In conſideration whereof, your humble commons moſt inſtantly beſeech your moſt excellent Majeſtie, that the former letters, and inſtructions may be countermanded, or ſtayed, and all further directions, and proceedings in that kinde forborne.

Seacoale.

AMong many reſemblances, which are obſerved to be betweene naturall and politique bodies, there is none more apt, and naturall then this; That the diſeaſes of both doe not, at one inſtant, commonly ſeiſe upon all parts: but beginning in ſome one part, doe, by tract of time, and by degrees, get poſſeſſion of the whole, unleſſe by applying of wholſome and proper remedies, in due time, they be prevented. Which as it is in many things very viſible, ſo it is in nothing more apparent, then in this matter of impoſitions: which beginning at the firſt either with forraigne commodities brought in, or ſuch of our owne, as were tranſported, is now extended to thoſe commodities, which growing in this Kingdome, are not tranſported, but uttered to the ſubjects of the ſame: for proofe whereof, wee doe, with all humilitie preſent unto your Majeſties view the late impoſition of 12. pence the Chalder of Seacole riſing in Blith and Sunderland, not by vertue of any contract, or grant (as in the coales of New Caſtle) but under a meere pretext of your Majeſties moſt royall prerogative: which impoſition is not

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onely grievous for the preſent (eſpecially to thoſe of the poorer ſort, the price of whoſe onely, and moſt neceſſary fewell is thereby, to their gteat great griefe inhaunced) but dangerous alſo for the future; conſidering that the reaſon of this preſident may be extended to all the commodities of this kingdome. May it therefore pleaſe your moſt Excellent Majeſtie, who is the great, and ſoveraigne phyſition of this ſtate, to apply ſuch a remedie as this diſeaſe may be preſently cured, and all diſeaſes for time to come, of like nature, prevented.

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